

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 09 1999

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 21 1999

The applicant **City of Yerington**, hereby makes application for permission to change the **Point of Diversion, Manner and Place of Use** of water heretofore appropriated under **Permit 10592, Certificate 2669**

1. The source of water is **Underground (Well #4)**
2. The amount of water to be changed **1.5 cfs, not to exceed 1,085.96 acre-feet annually**
3. The water to be used for **Municipal & Domestic purposes**
4. The water heretofore permitted for **Municipal Purposes**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T.13N., R.25E., M.D.B.&M., or at a point from which the NE Corner of Section 22, said township & range, bears N. 69° 05' 09" E., a distance of 5,920.44 ft.**
6. The existing permitted point of diversion is located within **NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15 T.13N, R.25E., M.D.B.&M., or at a point from which the SE Corner of said Section 15 bears S 10° 20' E, a distance of 1,534.20 ft.**
7. Proposed place of use **See Attachment "A"**
8. Existing place of use **portions of the E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15; W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, all in T.13N., R.25E., M.D.B.&M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **a drilled well equipped with a motor, pump, storage tanks and municipal distribution system.**
12. Estimated cost of works **In excess of \$5,000,000.00**
13. Estimated time required to construct works **Two (years)**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**
15. Remarks: **See Attachment "B"**

By Gregory M. Bilyeu
s/Gregory M. Bilyeu
P.O. Box 70458
Reno, Nevada 89570-0458

Compared nsr/cl dl/cmf

Protested 09/27/1999 by James D. Bednark ; Pro. overruled 4-14-00
See Ruling 4906

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and use and manner of use of the waters of an underground source as heretofore granted under Permit 10592, Certificate 2669 is issued subject to the terms and conditions imposed in said Permit 10592, Certificate 2669 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 65295, 65301 and 65357 shall not exceed 3.0 cubic feet per second.

The total combined duty of water under Permits 65295, 65296, 65297, 65298, 65299, 65300, 65301, 65302, 65303, 65357 and 65358 shall not exceed 5,229.29 acre-feet annually.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.5 cubic feet per second, but not to exceed 1,085.96 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 5, 2002

Proof of completion of work shall be filed before:

August 5, 2002

Water must be placed to beneficial use on or before:

July 5, 2010

Proof of the application of water to beneficial use shall be filed on or before:

August 5, 2010

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 5th day of, July A.D. 2000


State Engineer

Completion of work filed AUG 30 2002

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By 69122 1.5

ATTACHMENT "A"**7. Proposed Place of Use**

T.12N., R.25E., M.D.B. & M.:

W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, Section 4.

T.13N., R.25E., M.D.B. & M.:

Portion of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 9; S $\frac{1}{2}$, Section 10; W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, Section 11; W $\frac{1}{2}$, Section 14; All of Section 15; E $\frac{1}{2}$ E $\frac{1}{2}$, Section 16; SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 21; All of Section 22; W $\frac{1}{2}$, Section 23; W $\frac{1}{2}$, Section 26; All of Section 27; E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$, Section 28; All of Section 33; All of Section 34; W $\frac{1}{2}$, Section 35.

ATTACHMENT "B"

The proposed place of use represents the consolidated City of Yerington and Mason Water Company water system service areas as well as those areas identified for annexation by the City of Yerington over the next 10 years. The combined systems are forecasted to be serving over 12,000 residents and with approximately 4800 residential and commercial customers. The combined water systems will satisfy the needs of the Yerington – Mason area for the next 15 years.

The proposed point of diversion is a well acquired by the City of Yerington in 1994. The existing water rights on the well are not owned by the City of Yerington and are to be transferred from the well. The time to complete the works of diversion under Item 13 reflects the time necessary to complete the required upgrades to the well and to connect the well to the existing City of Yerington water system.

The duty on this right represents a conversion of the diversion rate over a one year period.